

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

WAYMO LLC,
Plaintiff,

vs.
UBER TECHNOLOGIES, INC.;
OTTOMOTTO LLC; OTTO TRUCKING
LLC,
Defendants.

CASE NO. 3:17-cv-00939

DECLARATION OF GARY BROWN

**UNREDACTED VERSION OF
DOCUMENT SOUGHT TO BE SEALED**

1 I, Gary Brown, hereby declare as follows.

2 1. I have been employed by Google Inc. ("Google") since August 2013. I currently
3 hold the position of Security Engineer, Forensics. I make this declaration in support of Waymo's
4 Motion for a Preliminary Injunction and have personal knowledge of the facts stated herein.

5 2. I received an M.S. in Enterprise Computing and a B.S. in Cybersecurity from the
6 Stevens Institute of Technology.

7 3. In my role as a Security Engineer in Forensics, I am responsible for gathering
8 evidence, from logs and hosts, to confirm or refute suspected compromise or abuse. I am familiar
9 with Google's secure networks and with logs of activity on those networks that are maintained by
10 Google in the ordinary course of its business.

11 4. It is Google's policy to assign unique identifiers to devices issued to employees for
12 work purposes, such as work laptops. Among other functions, these unique identifiers help
13 maintain the security of Google's secure networks. When an employee's device interacts with a
14 Google service or is active on a Google network, those interactions and activities can be recorded
15 in logs that identify the device (by its unique identifiers) and/or the interaction or activity (for
16 example, downloading files from a secure repository).

17 5. One type of interaction that is recorded in a log is calls to [REDACTED], which is a
18 reverse proxy that controls access to Google corporate resources. For example, [REDACTED] of
19 [REDACTED] will be logged.

20 6. Another type of interaction that is recorded in a log is downloads from the Waymo
21 SVN repository, which contains Waymo electrical design information, such as circuit schematics,
22 printed circuit board layouts, design rules, engineering notes, as well as component library
23 information.

24 7. Another type of interaction that is recorded in a log by one of Google's endpoint
25 security solutions, called [REDACTED], is when an agent detects a foreign device being attached to, or
26 removed from, an employee's device.

Anthony Levandowski

13. Based on my review of [REDACTED] host metadata, an installed Windows operating system on the Levandowski work laptop made no check-ins to [REDACTED] between March 2, 2015 and November 25, 2015, despite the [REDACTED] agent being configured to do so every 15 minutes when an internet connection is present. Based on my review of Google corporate network logs, the Levandowski work laptop's network interfaces appeared on the Google network a total of three times between March 2, 2015 and November 25, 2015: for a period of approximately two hours on October 22, 2015, approximately two hours on November 20, 2015, and then briefly on November 25, 2015.

DECLARATION OF GARY BROWN

1 15. Based on my review of [REDACTED] log data, the Levandowski work laptop ran a
2 MoMA search for the strings “chauffeur svn login” and “chauffeur svn eee setup” on December 3,
3 2015. “Chauffeur” was the name of Google’s self-driving car project, and “SVN” refers to a
4 repository used by that project which contains Waymo's design files, schematics and other
5 confidential information.

6 16. Based on my review of logs of Google corporate network traffic and [REDACTED] log data,
7 the Levandowski work laptop downloaded and installed TortoiseSVN, which is software that can
8 access the self-driving car project’s SVN repository, on December 11, 2015.

9 17. Based on my review of logs from the SVN repository and of Google corporate
10 network traffic, the Levandowski work laptop then downloaded over 14,000 files from the SVN
11 repository, also on December 11, 2015. Based on my review of logs from the SVN repository,
12 that download totaled 9.7 GBs of data, including 2 GBs from LiDAR subdirectories.

13 18. Based on my review of [REDACTED] log data, a Transcend RDF5 USB 3.0 card reader was
14 attached to the Levandowski work laptop for a period of approximately eight hours on December
15 14, 2015.

16 19. Based on my review of host metadata in [REDACTED] and a timeline of the hard drive of
17 the Levandowski work laptop, the Levandowski work laptop was reformatted from a Windows
18 operating system to a Linux operating system (Goobuntu, Google’s custom version of Ubuntu
19 Linux) on December 18, 2015.

20 20. Based on my review of Google machine certificate logs, Google network logs,
21 Google host logs, and [REDACTED] host metadata, the Levandowski work laptop maintained a consistent
22 connection on Google’s network from the time of reformat on December 18th through its last
23 check-in to [REDACTED], and obtention of a machine certificate, on December 21, 2015. The final
24 appearance of the Levandowski work laptop on Google’s corporate network occurs approximately
25 one minute after it obtained the machine certificate on December 21, 2015. From that point on,
26 there is no further appearance of the Levandowski work laptop on Google’s corporate network,
27 nor any check-ins to [REDACTED], despite the [REDACTED] agent being configured to do so every 15 minutes
28 when an internet connection is present.

21. When a Google employee uses his or her corporate account credentials to log onto Google Drive, those interactions can also be recorded even if the Google employee is accessing Google Drive from a personal device. For example, if a Google employee “exports” (i.e., saves a local copy of) a document from Google Drive, that interaction will be recorded in a Drive log, identifying (among other things) the Google employee’s GAIA ID (a unique identification number assigned by Google, resolvable to a username and domain on Google’s services), the unique ID of the document exported, the operating system and browser in use, and the time and date of the export.

22. Based on my review of Drive log data, the Google GAIA ID [REDACTED] which resolves to “[REDACTED]@google.com” – assigned to Anthony Levandowski – exported five documents from Google Drive to a personal device (i.e., one that was not issued by Google) on January 4, 2016, over an approximately three minute period. The names of those files are:

- **PBR** Intensity Calibration ([REDACTED])
- **Pbr** Extrinsic Calibration ([REDACTED])
- **Tx** and **Rx** tuning Instructions ([REDACTED])
- **GBr** Assembly Flowchart SOP ([REDACTED])
- **TBR** TESTING STATION ([REDACTED])

23. Based on my review of Drive log data, on January 11, 2016, the Google GAIA ID [REDACTED] – assigned to Anthony Levandowski – exported another document from Google Drive to a personal device. The name of this file is:

- Chauffeur TL weekly updates - Q4 2015 ([REDACTED])

Sameer Kshirsagar

24. Based on my review of Drive log data, the Google GAIA ID [REDACTED] – assigned to Sameer Kshirsagar – exported a document from Google Drive on June 3, 2016. The name of this file is:

- Laser questions ([REDACTED])

1 25. Based on my review of Drive log data, the Google GAIA ID [REDACTED] –
2 assigned to Sameer Kshirsagar – exported another document from Google Drive on June 14, 2016.
3 The name of this file is:

- 4 • **NPI** Ramp Checklist ([REDACTED])

5 26. Based on my review of Drive log data, the Google GAIA ID [REDACTED] –
6 assigned to Sameer Kshirsagar – exported another document from Google Drive on June 21, 2016.
7 The name of this file is:

- 8 • [REDACTED] and Packaging [REDACTED]
9 [REDACTED])

10 27. Based on my review of Drive log data, the Google GAIA ID [REDACTED] –
11 assigned to Sameer Kshirsagar – exported another document from Google Drive on June 22, 2016.
12 The name of this file is:

- 13 • [REDACTED]-Lens Placement-01
14 [REDACTED])

15 28. Based on my review of Drive log data, the Google GAIA ID [REDACTED] –
16 assigned to Sameer Kshirsagar – exported another document from Google Drive on July 12, 2016.
17 The name of this file is:

- 18 • All things **Rx** Part 3- [REDACTED] mode [REDACTED] - [REDACTED]
19 ([REDACTED])


20 **Radu Raduta**

21 29. Based on my review of Drive log data, the Google GAIA ID [REDACTED] –
22 assigned to Radu Raduta – exported, over an approximately ten minute period, three documents
23 from Google Drive on July 28, 2016. The names of those files are:

- 24 • Die - wire bonding houses ([REDACTED])
25 • External Vendors and Consultants List
26 ([REDACTED])
27 • automation vendors ([REDACTED])

28 I declare under penalty of perjury that the foregoing is true and correct. Executed in San
Jose, California, on March 9, 2017.

1 DATED: March 9, 2017

2 
Gary Brown